

REMARKS

In the Office Action dated October 1, 2003, claims 1-4, 13-15, 17, 19, 20, 24, 26, 27, and 29-32 were rejected under 35 U.S.C. § 102 over U.S. Patent No. 6,091,808 (Wood); claims 5 and 16 were rejected under § 103 over Wood in view of U.S. Patent No. 6,134,319 (Burg); claims 6 and 19 were rejected under § 103 over Wood in view of U.S. Patent No. 6,212,506 (Shah); claims 7-12, 21-23, 25, and 28 were rejected under § 103 over Wood in view of U.S. Patent No. 6,453,034 (Donovan); and claim 18 was rejected under § 103 over Wood alone.

COMMON OWNERSHIP OF THE PRESENT APPLICATION AND SHAH

The present application and Shah were, at the time that the invention was made, owned by, or subject to an obligation of assignment to, the same person (Nortel Networks). Therefore, Shah has been removed as a reference under 35 U.S.C. § 103(c). Withdrawal of the § 103 rejections of claims 6 and 19 is respectfully requested.

REJECTIONS UNDER 35 U.S.C. §§ 102 AND 103

As amended, claim 1 is allowable over Wood, since Wood fails to disclose generating a call request for establishing a call session over *a packet-based network* based on an indication of user selection of a hyperlink, and communicating voice data over the *packet-based network* in the call session. In Wood, a call session is established between telephone devices connected through a circuit-switched telephone switch 16. As discussed in Wood, the telephone switch 16 can be a central office forming part of a public switch telephone network (PSTN), or a PBX or telephone key system that is coupled to the PSTN. Wood, 3:28-32.

Therefore, Wood does not disclose the subject matter of claim 1.

Claim 6 has been amended from dependent form to independent form, with the scope of the claim remaining *unchanged*. Because Shah has been removed as a reference against claim 6 under § 103(c), withdrawal of the rejection of claim 6 is respectfully requested.

Claim 7 has been amended from dependent form to independent form, with the scope of the claim remaining *unchanged*. The Office Action rejected claim 7 over the asserted combination of Wood and Donovan. Applicant respectfully submits that neither reference (Wood or Donovan) discloses or suggests displaying a hyperlink associated with a uniform resource locator. No such teaching is provided in Wood, and the URL specified in Donovan is not a URL associated with a hyperlink. The URLs described in column 3, at lines 45-60, of Donovan are SIP URLs specified in a SIP INVITE message. The SIP URLs provided in SIP messages are not associated with a hyperlink that can be selected by the user and received by the method of claim 7.

Therefore, even if Wood and Donovan can be properly combined, the hypothetical combination fails to teach or suggest each and every element of claim 7. For at least this reason, a *prima facie* case of obviousness has not been established with respect to claim 7.

Also, it is respectfully submitted that no motivation or suggestion existed to combine Wood and Donovan in the manner proposed by the Office Action. As noted above, the telephone call session established by Wood is through a telephone switch 16 that is part of a PSTN or that is a PBX or telephone key system coupled to the PSTN. Thus, the call established by Wood is a circuit-switched call. The SIP URLs mentioned in Donovan are for establishing packet-switched calls over an IP network. There is no reason to employ the SIP URLs disclosed in Donovan in the circuit-switched system of Wood. In fact, attempting to establish a call session with SIP messages in Wood would render the system inoperative for its intended purpose, which is to establish a call through a switch 16 that is part of a circuit-switched network. The switch 16 is incompatible with and would not understand SIP messages.

Because no motivation or suggestion existed to combine Wood and Donovan, the *prima facie* case of obviousness fails with respect to claim 7 in this further regard.

With respect to independent claim 14, Wood fails to disclose a controller to generate a call request in response to selection of a hyperlink, where the call request comprises a *Session Initiation Protocol (SIP)* message.

Claim 18 has been amended from dependent form to independent form, with the scope of the claim remaining *unchanged*. Claim 18 was rejected over Wood alone. The

Office Action conceded that Wood fails to disclose the elements of claim 18. However, the Office Action took official notice that the features of claim 18 were well known. Applicant respectfully disagrees. The Office Action has not cited to any objective evidence that would indicate any motivation or suggestion to modify Wood in the manner proposed by the Office Action. If such a reference exists, Applicant requests the production of the reference. Otherwise, withdrawal of the § 103 rejection of claim 18 is requested.

Claim 19 has been amended from dependent form to independent form, with the scope of claim 19 remaining *unchanged*. Claim 19 was rejected as being anticipated by Wood and also as being obvious over Wood and Shah. Applicant believes that the § 102 rejection over Wood was mistaken, since the Office Action conceded that Wood fails to disclose call charge information. Therefore, withdrawal of the § 102 rejection over Wood is respectfully requested. Also, since Shah has been removed as a referenced under § 103(c), withdrawal of the obviousness rejection over Wood and Shah is respectfully requested.

Claim 22 has been amended from dependent form to independent form, with the scope of the claim remaining *unchanged*. As discussed above, no motivation or suggestion existed to combine Wood and Donovan. Also, the hypothetical combination of Wood and Donovan fails to disclose a hyperlink associated with a uniform resource locator.

With respect to independent claim 24, Wood fails to disclose receiving a uniform resource locator associated with a hyperlink and generating a call request containing information in the uniform resource locator. No mention is made of a uniform resource locator in Wood.

Similarly, with respect to independent claim 29, Wood fails to disclose receiving selection of a hyperlink that is associated with a label and a uniform resource locator, and generating a call request containing a callee identifier contained in the uniform resource locator.

With respect to independent claim 30, Wood fails to disclose a routine to generate a call request to establish a call session over a packet-based data network in response to selection of at least one hyperlink. As noted above, Wood discloses call sessions

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established over a circuit-switched network, not a call session over a packet-based data network.

In view of the foregoing, all independent claim are allowable over the cited references. Dependent claims are allowable for at least the same reasons as corresponding independent claims.

Allowance of all claims is requested. The Commissioner is authorized to charge any additional fees, including extension of time fees, and/or credit any overpayment to Deposit Account No. 20-1504 (NRT.0067US).

Respectfully submitted,

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